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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,466	01/26/2001	Hiroshi Matsuda	35.C15057	5463

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EXAMINER	
PHAM, THIERRY L	

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/769,466	MATSUDA, HIROSHI	
	Examiner	Art Unit	
	Thierry L. Pham	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-97* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-97* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 3/10/06.
- Claims 1-97 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kayano et al (US 5812747), and in view of Koike et al (JP2000206836).

Regarding claim 1, Kanayo discloses an image output control apparatus (master copy machine 1, fig. 4) connected to plural image output devices (copy machines 1-2, fig. 4) through communication media (cable 80, fig. 4), capable of controlling to output images of predetermined input data using the plural image output devices, comprising:

- mode select means (control panel as shown in fig. 3) for selecting an cascade outputting mode (cascade mode, col. 4, lines 45-56) so that output processing of the input data is allotted to the plural image output devices (col. 4, lines 45-60 and col. 5, lines 58-67);
- selection means (control panel as shown in fig. 3) for selecting the plural image output devices (col. 5, lines 58-67) that should be used in the allotted outputting mode;
- obtaining means (CPU 27 of master copy machine, fig. 2) for obtaining output media information (output media information from plurality of copy machines in cascade mode, fig. 11) stored in each the image output device of the plural image output devices that are selected to be used in the allotted outputting mode;
- judgment means (CPU 27 of master copy machine, fig. 2) judging whether or not the plural image output devices store the same-sized output media (size output media, fig. 11, col. 7, lines 50 to col. 8, lines 20) on the basis of the output media information obtained by said obtaining

means, before a user request for causing the plural image output devices to execute an outputting operation for the cascade outputting mode is accepted from a user via a user interface unit; and

• notification means (fig. 9, col. 6, lines 30-67) for causing said user interface unit to provide a judgment result obtained by said judgment means, before the user request is accepted via said user interface unit.

Kanayo fails to teach and/or suggest a control means for prohibiting (inhibiting cascade connection if size and type of paper is dissimilar, abstract, pars. 7-8 and pars. 104-110) a reception of the user request via said user interface unit in a case where the same-sized output media are not stored in the plural image output devices, and permitting the reception (permitting cascade connection only if size and type papers in the copiers are similar, abstract, par. 11-12, and pars. 104-110) of the user request via said user interface unit in a case where the same-sized output media are stored in the plural image output devices, wherein said control means causes the plural image output devices to execute the outputting operation for the cascade outputting mode after permitting the reception of the user request (copying is allowed if size and type papers are the same, pars. 104-110) and accepting the user request via said user interface unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify image output device of Kayano to include a control means for prohibiting a reception of user request if same-sized output media are not stored in master copier and other image output device (i.e. slave copier) as taught by Koike because of a following reason: (•) to ensure entire print job will be printed on the same output medium for output quality enhancement; (•) generation of miscopy is reduced (abstract, and pars. 109-110 of Koike); (•) prevents mixing of different varieties of paper, since connection operation is started only if size and type of paper are similar between output devices (abstract, pars. 108-110).

Therefore, it would have been obvious to combine Kayano with Koike to obtain the invention as specified in claim 1.

Regarding claim 2, Kanayo further discloses an apparatus according to claim 1, further comprising a display means (control panel display, fig. 3) for displaying information regarding the image output devices, and said notification means displays a warning message (step U105, fig. 9) on the display when said judgment means judged that the plural image output devices

selected by said selection means do not have the same-sized output media (slave machine has malfunction such as paper emptied, fig. 7 & 11).

Regarding claim 3, Kanayo further discloses an apparatus according to claim 2, wherein it is controlled to cancel selection (Cancel Button 56, fig. 3) to be executed by said selection means when said judgment means judged that the plural image output devices selected by said selection means do not have the same-sized output media.

Regarding claim 4, Kanayo further discloses an apparatus according to claim 1, wherein said judgment means judges whether or not the plural image output devices selected by said selection means have the same-sized and the same-kind output media (paper media information, figs. 7 & 11) on the basis of the output media information.

Regarding claim 5, Kanayo further discloses an apparatus according to claim 4, further comprising a display for displaying information regarding the image output devices, and said notification means displays a warning message (step U105, fig. 9) on the display when said judgment means judged that the plural image output devices selected by said selection means do not have the same-sized and the same-kind output media.

Regarding claim 6, Kanayo further discloses an apparatus according to claim 5, wherein it is controlled to cancel selection (CANCEL button, 3) to be executed by said selection means when said judgment means judged that the plural image output devices selected by said selection means do not have the same-sized and the same-kind output media.

Regarding claim 7, Kanayo further discloses an apparatus according to of claim 1, further comprising input means for inputting image data obtained by reading originals, and it is possible to control that the plural image output devices (slave copy machines 2-3, fig. 4) can output images of image data inputted by said input means.

Regarding claims 8-14: Claims 8-14 are the method claims corresponding to the apparatus claims 1-7 (respectively). The method claims are included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-7 above.

Regarding claim 15: Claim 15 corresponds to claim 1 thereof except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium for storing computer program, hence claim 15 would be rejected using the same rationale as in claim 1 and/or combination thereof.

Regarding claim 16, Kayano discloses an image output system (fig. 4) comprising:

- plural image output devices (copy machines 1-3, fig. 4);
- each of said plural image output devices comprising:
- a memory unit (image memory unit C, fig. 2) adapted to store a plurality of data;
- a printer unit (laser printing unit 25, fig. 1) adapted to perform print processing of data stored in said memory unit to an output medium;
- an acceptor (control panel, fig. 3) adapted to accept, via a user interface unit, an instruction for causing a user's device and another image output device to execute a cascade printing operation (cascade mode, col. 4, lines 45-56) that print processing of a series of data is able to allot to said user's device and said another image output device (col. 4, lines 45-60 and col. 5, lines 58-67), from a user.

Kanayo fails to teach and/or suggest a control means for prohibiting (inhibiting cascade connection if size and type of paper is dissimilar, abstract, pars. 7-8 and pars. 104-110) a reception of the user request via said user interface unit in a case where the same-sized output media are not stored in the plural image output devices, and permitting the reception (permitting cascade connection only if size and type papers in the copiers are similar, abstract, par. 11-12, and pars. 104-110) of the user request via said user interface unit in a case where the same-sized output media are stored in the plural image output devices, wherein said control means causes the plural image output devices to execute the outputting operation for the cascade outputting

mode after permitting the reception of the user request (copying is allowed if size and type papers are the same, pars. 104-110) and accepting the user request via said user interface unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify image output device of Kayano to include a control means for prohibiting a reception of user request if same-sized output media are not stored in master copier and other image output device (i.e. slave copier) as taught by Koike because of a following reason: (•) to ensure entire print job will be printed on the same output medium for output quality enhancement; (•) generation of miscopy is reduced (abstract, and pars. 109-110 of Koike); (•) prevents mixing of different varieties of paper, since connection operation is started only if size and type of paper are similar between output devices (abstract, pars. 108-110).
Therefore, it would have been obvious to combine Kayano with Koike to obtain the invention as specified in claim 16.

Regarding claim 17, Koike further discloses a system according to claim 16, wherein said controller inhibits (pars. 104-110) said execution of said allotted printing operation before the instruction from the user is accepted, by controlling beforehand said acceptor so as not to accept the instruction from the user, when the same output medium (different print medias, pars. 104-110) is not set in both of said user's device and said another image output device.

Regarding claim 18, Koike further discloses a system according to claim 16, wherein the instruction is accepted via a user interface unit including a display unit used for said image output device, wherein said controller inhibits the execution (pars. 104-110) of the allotted printing operation before the instruction from the user is accepted, by controlling a display of said display unit so as not to accept the instruction, when same output medium is not set in both of said user's device and said another image output device (inhibiting cascade connection if size and type of paper is dissimilar, abstract, pars. 7-8 and pars. 104-110).

Regarding claims 19-20, Kayano further teaches a system according to claim 16, wherein each of said plural image output devices includes an original image reading unit (CCD 20, fig. 2).

Regarding claim 21, Kayano further teaches a system according to claim 16, wherein each of said plural image output devices includes an obtaining unit (obtaining information of different apparatuses connected via a network, figs. 5, 7, and 11) adapted to obtain information of the other image output devices, and wherein said controller discriminates the output medium using the information obtained by said obtaining unit.

Regarding claims 22-27 recite limitations that are similar and in the same scope of invention as to those in claims 16-21 above; therefore, claims 22-27 are rejected for the same rejection rationale/basis as described in claims 16-21 above.

Regarding claims 28-33 recite limitations that are similar and in the same scope of invention as to those in claims 16-21 above; therefore, claims 28-33 are rejected for the same rejection rationale/basis as described in claims 16-21 above.

Regarding claim 34, Kanayo further discloses a system according to claim 28, wherein the type of the output medium is one of ordinary paper (fig. 11), card, thin paper, OHP and color sheet.

Regarding claims 35-40 recite limitations that are similar and in the same scope of invention as to those in claims 16-21 above; therefore, claims 35-40 are rejected for the same rejection rationale/basis as described in claims 16-21 above.

Regarding claim 41, Kanayo further discloses a system according to claim 28, wherein the type of the output medium is one of ordinary paper (fig. 11), card, thin paper, OHP and color sheet.

Regarding claims 42-47 recite limitations that are similar and in the same scope of invention as to those in claims 16-21 above; therefore, claims 42-47 are rejected for the same rejection rationale/basis as described in claims 16-21 above.

Regarding claims 48-51, Kayano further teaches a system according to claim 42, wherein said controller permits execution of the cascade printing operation in said local device and said other output device, according to the instruction from the user, when the same output medium is set in both of said local device and said other image output device, wherein said controller inhibits the execution of the cascade printing operation that uses a different output medium in each of said local device and said other image output device, before the instruction from the user is accepted, even if said other image output devices has the same function as the function which includes at least one of a sort function and a double-side printing function (fig. 3) that said local device has, when the same output medium is not set in both said local device and other image output device.

Regarding claims 52-97: Claims 52-97 are the method claims corresponding to the apparatus claims 16-51. The method claims are included by the operation of the apparatus/system claims. Please see claims rejection basis/rationale as described in claims 16-51 above.

Response to Arguments

Applicant's arguments with respect to claims 1-97 have been considered but are moot in view of the new ground(s) of rejection due to amended independent claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

Twyler M. Lamb
Supervisory Patent Examiner